

IC 21-2-3.1

Chapter 3.1. Township School Building

IC 21-2-3.1-1

Application of chapter

Sec. 1. This chapter applies if a township board finds, at an annual or special meeting of the board, that:

- (1) it is necessary to provide for the construction of a school building; and
- (2) the cost of the building, or the proportional cost if it is a joint graded high school building, will be in excess of the sum available from an annual levy.

As added by Acts 1980, P.L.8, SEC.119. Amended by P.L.8-1987, SEC.57.

IC 21-2-3.1-2

Township warrants or bonds to pay for building or costs; creation of debt

Sec. 2. (a) The board may authorize the trustee to issue township warrants or bonds to pay for the building or the proportional cost of it. The warrants or bonds:

- (1) may run for a period not exceeding fifteen (15) years;
- (2) may bear interest at any rate; and
- (3) shall be sold for not less than par.

The township trustee, before issuing the warrants or bonds, shall advertise in newspapers that bonds are to be sold in at least one (1) issue a week for three (3) weeks, in accordance with IC 5-3-1. The notice must set forth the amount of bonds offered, the denomination, the period to run, the rate of interest, and the date, place, and hour of selling. The township board shall attend the sale of bonds and must concur in the sale before the bonds are sold. The board shall annually levy sufficient taxes each year to pay at least one-fifteenth (1/15) of the warrants or bonds, including interest, and the trustee shall apply the annual tax to the payment of the warrants or bonds each year.

(b) A debt of the township may not be created except by the township board in the manner specified in this section. Payment of a debt from the public funds of the township not so authorized is recoverable upon the bond of the trustee in a suit that the board shall institute and prosecute, in the name of the state, for the use of the township. The board may appropriate and the township trustee shall pay, out of the township funds, a reasonable sum for attorney's fees for this purpose. If the board, on the written demand of any taxpayer, fails for thirty (30) days to bring suit, then that or any other taxpayer may bring the suit, in the name of the state, for the use of the township.

As added by Acts 1980, P.L.8, SEC.119. Amended by P.L.8-1987, SEC.58.

IC 21-2-3.1-3

Bidding and contract requirements

Sec. 3. (a) If a trustee finds it necessary to erect a new schoolhouse, he shall procure suitable specifications for it to be used by the bidders in bidding and in the construction of the building. If he desires to purchase school furniture, fixtures, maps, charts, or other school supplies, except fuel and literary periodicals, in amounts that may be authorized by the township board in any year, he shall make an estimate of the kinds and amounts, itemized particularly, to be used by bidders. If it is necessary to make repairs to the schoolhouses, other than current or incidental repairs, he shall likewise make an itemized statement of the nature and character of the work to be made for the use of bidders.

(b) All contracts shall be let after notice is given by publication in accordance with IC 5-3-1.

(c) The township board shall attend the letting. At the letting, all the work or supplies in any one (1) class shall be included and let in a single contract. All bids must be in writing and opened and read publicly at the time and place fixed in the notice. The trustee may take time to examine and satisfy himself as to which is the lowest and best bid, conferring with the township board. The board may reject any bids. The trustee shall endorse either acceptance or rejection on the bids and preserve them.

(d) If a bid is accepted, a proper contract shall then be reduced to writing for the building, repairs, or supplies and signed by the successful bidder and the trustee. The trustee shall require the bidder to give bond with security to the trustee's approval for the faithful execution of the contract.

As added by Acts 1980, P.L.8, SEC.119. Amended by Acts 1980, P.L.78, SEC.9; P.L.8-1987, SEC.59.

IC 21-2-3.1-4

Void contracts

Sec. 4. All contracts made in violation of this chapter are void.

As added by Acts 1980, P.L.8, SEC.119.